

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 143

To recognize the organization known as the National Academies of Practice,  
and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. INOUE introduced the following bill; which was read twice and referred  
to the Committee on the Judiciary

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## A BILL

To recognize the organization known as the National  
Academies of Practice, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CHARTER.**

4       The National Academies of Practice organized and  
5       incorporated under the laws of the District of Columbia,  
6       is hereby recognized as such and is granted a Federal  
7       charter.

8       **SEC. 2. CORPORATE POWERS.**

9       The National Academies of Practice (hereafter re-  
10       ferred to in this Act as the “corporation”) shall have only

1 those powers granted to it through its bylaws and articles  
2 of incorporation filed in the State in which it is incor-  
3 porated and subject to the laws of such State.

4 **SEC. 3. PURPOSES OF CORPORATION.**

5 The purposes of the corporation shall be to honor per-  
6 sons who have made significant contributions to the prac-  
7 tice of applied psychology, dentistry, medicine, nursing,  
8 optometry, osteopathy, podiatry, social work, veterinary  
9 medicine, and other health care professions, and to im-  
10 prove the practices in such professions by disseminating  
11 information about new techniques and procedures.

12 **SEC. 4. SERVICE OF PROCESS.**

13 With respect to service of process, the corporation  
14 shall comply with the laws of the State in which it is incor-  
15 porated and those States in which it carries on its activi-  
16 ties in furtherance of its corporate purposes.

17 **SEC. 5. MEMBERSHIP.**

18 Eligibility for membership in the corporation and the  
19 rights and privileges of members shall be as provided in  
20 the bylaws of the corporation.

21 **SEC. 6. BOARD OF DIRECTORS; COMPOSITION; RESPON-**  
22 **SIBILITIES.**

23 The composition and the responsibilities of the board  
24 of directors of the corporation shall be as provided in the  
25 articles of incorporation of the corporation and in con-

1 formity with the laws of the State in which it is incor-  
2 porated.

3 **SEC. 7. OFFICERS OF THE CORPORATION.**

4 The officers of the corporation and the election of  
5 such officers shall be as provided in the articles of incorpo-  
6 ration of the corporation and in conformity with the laws  
7 of the State in which it is incorporated.

8 **SEC. 8. RESTRICTIONS.**

9 (a) USE OF INCOME AND ASSETS.—No part of the  
10 income or assets of the corporation shall inure to any  
11 member, officer, or director of the corporation or be dis-  
12 tributed to any such person during the life of this charter.  
13 Nothing in this subsection shall be construed to prevent  
14 the payment of reasonable compensation to the officers of  
15 the corporation or reimbursement for actual necessary ex-  
16 penses in amounts approved by the board of directors.

17 (b) LOANS.—The corporation shall not make any  
18 loan to any officer, director, or employee of the corpora-  
19 tion.

20 (c) POLITICAL ACTIVITY.—The corporation, any offi-  
21 cer, or any director of the corporation, acting as such offi-  
22 cer or director, shall not contribute to, support, or other-  
23 wise participate in any political activity or in any manner  
24 attempt to influence legislation.

1 (d) ISSUANCE OF STOCK AND PAYMENT OF DIVI-  
2 DENDS.—The corporation shall have no power to issue any  
3 shares of stock nor to declare or pay any dividends.

4 (e) CLAIMS OF FEDERAL APPROVAL.—The corpora-  
5 tion shall not claim congressional approval or Federal  
6 Government authority for any of its activities.

7 **SEC. 9. LIABILITY.**

8 The corporation shall be liable for the acts of its offi-  
9 cers and agents when acting within the scope of their au-  
10 thority.

11 **SEC. 10. MAINTENANCE AND INSPECTION OF BOOKS AND**  
12 **RECORDS.**

13 (a) BOOKS AND RECORDS OF ACCOUNT.—The cor-  
14 poration shall keep correct and complete books and  
15 records of account and shall keep minutes of any proceed-  
16 ing of the corporation involving any of its members, the  
17 board of directors, or any committee having authority  
18 under the board of directors.

19 (b) NAMES AND ADDRESSES OF MEMBERS.—The  
20 corporation shall keep at its principal office a record of  
21 the names and addresses of all members having the right  
22 to vote in any proceeding of the corporation.

23 (c) RIGHT TO INSPECT BOOKS AND RECORDS.—All  
24 books and records of the corporation may be inspected by  
25 any member having the right to vote, or by any agent or

1 attorney of such member, for any proper purpose, at any  
2 reasonable time.

3 (d) APPLICATION OF STATE LAW.—Nothing in this  
4 section shall be construed to contravene any applicable  
5 State law.

6 **SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.**

7 The first section of the Act entitled “An Act to pro-  
8 vide for audit of accounts of private corporations estab-  
9 lished under Federal law”, approved August 30, 1964 (36  
10 U.S.C. 1101), is amended—

11 (1) by redesignating paragraph (72) as para-  
12 graph (71);

13 (2) by designating the paragraph relating to the  
14 Non Commissioned Officers Association of the Unit-  
15 ed States of America, Incorporated, as paragraph  
16 (72);

17 (3) by redesignating paragraph (60), relating to  
18 the National Mining Hall of Fame and Museum, as  
19 paragraph (73); and

20 (4) by adding at the end thereof the following  
21 new paragraph:

22 “(75) National Academies of Practice.”.

23 **SEC. 12. ANNUAL REPORT.**

24 The corporation shall report annually to the Congress  
25 concerning the activities of the corporation during the pre-

1 ceding fiscal year. Such annual report shall be submitted  
2 at the same time as is the report of the audit for such  
3 fiscal year required by section 3 of the Act referred to  
4 in section 11 of this Act. The report shall not be printed  
5 as a public document.

6 **SEC. 13. RESERVATION OF RIGHT TO AMEND OR REPEAL**  
7 **CHARTER.**

8 The right to alter, amend, or repeal this Act is ex-  
9 pressly reserved to the Congress.

10 **SEC. 14. DEFINITION.**

11 For purposes of this Act, the term "State" includes  
12 the District of Columbia, the Commonwealth of Puerto  
13 Rico, and the territories and possessions of the United  
14 States.

15 **SEC. 15. TAX-EXEMPT STATUS.**

16 The corporation shall maintain its status as an orga-  
17 nization exempt from taxation as provided in the Internal  
18 Revenue Code of 1986 or any corresponding similar provi-  
19 sion.

20 **SEC. 16. TERMINATION.**

21 If the corporation fails to comply with any of the re-  
22 strictions or provisions of this Act the charter granted by  
23 this Act shall terminate.

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